IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

WRIT PETITION NO : 13996 of 2005

Between:

Chitturi Suneetha, w/o Kaleswara Rao, F.P. Shop Dealer,
Shop No.15, Pithapuram, E.G.District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Kakinada, E.G.District.
2 The Mandal Revenue Officer, Pithapuram, E.G.District.
3 S.S.R.Murthy, Dealer of Shop No.13,
Samarlakot, E.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order of direction more particularly one in the nature of writ of mandamus or any other appropriate writ, declaring the action of the respondents in not supplying Essential Commodities to the petitioner shop No.14 of Samarlakot as illegal, and arbitrary and for a consequential direction directing the respondents to continue the supply of essential commodities to the petitioner shop.

Counsel for the Petitioner: MR.M.LAKSHMANA SARMA

Counsel for the Respondent Nos.1 and 2: GP FOR CIVIL SUPPLIES

Counsel for Respondent No.3: None appeared.

The Court at the admission stage made the following:

ORAL ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

2. The grievance of the petitioner in this Writ Petition is that on the sole ground that some shortage was found on verification of stocks, supplies being effected to the petitioner have been stopped.

3. Sri M.Lakshamana Sarma, learned counsel for the petitioner relies on a Full Bench Judgment of this Court in OLETI TIRUPATHAMMA vs. DISTRICT SUPPLY OFFICER (CIVIL), VISAKHAPATNAM[1], wherein it is held that without initiating action for suspending the dealership pending enquiry, supplies cannot be stopped. Learned counsel contends that inasmuch as no such action has been initiated by the respondents against the petitioner, supplies cannot be discontinued.

4. Following the Full Bench Judgment of this Court, the respondents are directed to continue supplies to the petitioner. It is made clear that this order shall not preclude the authorities, if they so choose, to take action against the petitioner herein, in accordance with law.

5. Writ Petition is disposed of accordingly. No costs.

13.07.2005

SSR

Issue copy in two days.

To

1 The Revenue Divisional Officer, Kakinada, E.G.District.
2 The Mandal Revenue Officer, Pithapuram, E.G.District.
3 2 CCs to G.P. for Civil Supplies, High Court of A.P. Hyderabad. (OUT)

4 2 CD copies

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